

REMARKS

Claim 1 is amended by incorporating the subject matter of claim 2 and claims 2 and 3 are canceled. Claim 4 is also amended herein. No new matter is presented. It is believed that no new consideration or search is necessitated by the amendment, because the amendments are made to incorporate the subject matter of dependent claims that are indicated as being allowable if rewritten into an independent claim to claim 1. Entry of the amendment is respectfully requested.

Claims 10, 12 and 13 are allowed.

The Examiner maintains the rejection of claims 1 and 5 under 35 U.S.C. §102(b) as being anticipated by Tajima et al, WO '232, but withdraws the rejection with respect to claims 2 and 5.

Claims 2-4, 6 and 9 are objected to as being dependent upon rejected independent claim 1, but are indicated as being allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

As noted above, claim 1 is amended by incorporating the subject matter of claim 2, which is indicated as being allowed. That is, Tajima et al does not disclose, teach or suggest compounds of formula (I) as recited in amended claim 1 wherein ringA represents 4-(trifluoromethyl)piperidin-1-yl or 3,4-dihydro-1H-isoquinolin-2-yl. Thus, Tajima et al does not anticipate the presently claimed invention.

Claims 2 and 3 are canceled, thereby rendering the rejection of these claims moot.

Claim 4 is amended to be commensurate in scope with amended claim 1.

Claims 5, and 9 depend from amended claim 1 and are patentable for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the anticipation rejection and objection to the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number 202-775-7588.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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